REMARKS

Claims 1-13 and 15-20 are all the claims pending in the application. Claims 2, 4-7, 9, 12, 16 and 19 stand rejection under 35 U.S.C. § 112. Claims 1 and 3-13 stand rejected under 35 U.S.C. § 103(a). The Examiner has indicated that claims 15-20 would be allowable if rewritten in independent form. Claim 14 is cancelled without prejudice or disclaimer by this Amendment to avoid redundancy.

AMENDMENTS TO THE CLAIMS

Editorial amendments have been made to claims 1 and 3-4. As these amendments are editorial amendments and were made merely to more accurately claim the present invention and do not narrow the literal scope of the claims, Applicant submits that these amendments do not implicate an estoppel in the application of the doctrine of equivalents. Applicant submits that these amendments were not made for reasons of patentability.

Claims 5-7 have been amended to more thoroughly define the present invention.

35 U.S.C. § 112 REJECTIONS

The Examiner has rejected claims 2, 4-7, 9, 12, 16, 19 as being indefinite under 35 U.S.C. § 112, second paragraph.

With respect to claim 2, Applicant submits that claim 2 is definite and narrows claim 1. Claim 2 recites a "friction force measurement apparatus ... wherein a vibration input unit in which vibration of said vibration detector is input is directly contacted with said fixed member." On the other hand, claim 1 recites a "friction force measurement apparatus [having] a vibration detector which is joined with said fixed member ..." Thus, in claim 1, a vibration detector is

joined with a fixed member. It is in claim 2 that a vibration input is first introduced. Claim 2 recites how the vibration input unit is disposed with respect to the fixed member. Therefore, Applicant submits that claim 2 is definite and further defines the scope of claim 1.

Applicant notes that the Examiner has not rejected claim 2 on the basis of any art. Accordingly, Applicant requests an indication of allowance with respect to claim 2 in the next Office Action.

Claims 5-7 have been amended as shown above. Applicant submits that the amendments to claims 5-7 overcome the Examiner's rejections.

For purposes of creating a clear record, Applicant notes that paragraph 2 of the Office Action states: "In claims 4-7, the recitation of 'calculated by said calculation device with time equipped'..." Applicant notes that claim 4 does not recite this limitation. Applicant believes this was a minor typographical error in the Office Action.

35 U.S.C. § 103(a) REJECTIONS

A. Claims 1, 5-6, 8-13

The Examiner has rejected claims 1, 5-6, 8-13 as being unpatentable under 35 U.S.C. § 103(a) over U.S. Patent No. 5,014,547 to Holroyd ("Holroyd") in view of Derwent Abstract Pub. No. DD 153231A to Seifert ("Seifert"). The Examiner asserts that Holroyd teaches each element of claim 1 except for utilization of the Seifert apparatus on a magnetic tape. The Examiner relies on the Seifert reference to overcome this deficiency. For the following reasons, Applicant respectfully traverses this rejection.

The present invention relates to an apparatus which measures the friction force between a magnetic tape and a fixed member, e.g., a magnetic head. Holroyd, on the other hand, relates to an apparatus for measuring the surface roughness of a material. *See* Background of the Invention.

Applicant submits that Holroyd does not teach or suggest at least a calculation device as recited in claim 1. The measurement apparatus recited in claim 1 includes "a calculation device which calculates the friction force between said fixed member and said magnetic tape based on a signal from said vibration detector." (emphasis added). The Examiner asserts that Holroyd's acoustic element 32 corresponds to the fixed member and that processor 46 corresponds to the claimed calculation device. However, Holroyd's disclosure makes clear that processor 46 "determines the surface roughness of the material [10] from [an] electrical signal." Processor 46 does not calculate a friction force between a fixed member and a magnetic tape, but instead calculates a surface roughness. As the Background of the Invention makes clear, surface roughness refers to the profile of a material and is not a measure of a friction force. Seifert does not cure this deficiency in the teachings of Holroyd. Accordingly, Applicant submits that claim 1 is allowable over the cited art for at least this reason. Applicant submits that claims 5-6, 8-13, being dependent on claim, are patentable over the cited art at least based on this dependency.

B. Claims 3-4, 7

The Examiner has rejected claims 3-4, 7 as being unpatentable under 35 U.S.C. § 103(a) over Holroyd in view of Seifert in further view of U.S. Patent No. 4,836,035 to Tcheng et al. ("Tcheng"). As Tcheng fails to cure the deficiencies of Holroyd and Seifert as discussed above with respect to claim 1, and as claims 3-4 and 7 depend on claim 1, Applicant submits that claims 3-4 and 7 are allowable over the cited art.

ALLOWABLE SUBJECT MATTER

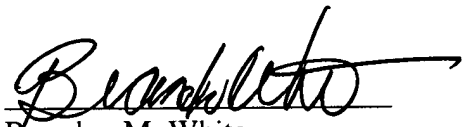
The Applicant thanks the Examiner for indicating the claims 15-20 would be allowable if rewritten in independent form. However, as stated above, Applicant believes that all of the pending claims are patentable over the cited art.

CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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